

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

LONNIE D. WILLIAMS,)	
)	
Plaintiff)	
)	CAUSE NO. 3:05-CV-154 RM
vs.)	
)	
PRISON HEALTH SERVICES, <i>et al.</i> ,)	
)	
Defendants)	

OPINION AND ORDER

Lonnie D. Williams, a *pro se* prisoner, filed a motion seeking to proceed on appeal *in forma pauperis*. Pursuant to 28 U.S.C. § 1915(a)(3), “An appeal may not be taken *in forma pauperis* if the trial court certifies in writing that it is not taken in good faith.” Substantively, this appeal is not taken in good faith for the reasons stated in this court’s screening order of April 6, 2005. Mr. Williams may still proceed with this appeal, but to do so he must pre-pay the full \$255.00 filing fee.

Additionally, Mr. Williams requests a certificate of appealability. It is unnecessary to obtain a certificate of appealability to appeal in a civil rights case.

For the foregoing reasons, the court:

(1) **DENIES** the plaintiff’s motion for leave to proceed in forma pauperis (docket # 8);

(2) **DENIES** the motion for a certificate of appealability (docket # 9);

(3) **GRANTS** the plaintiff to and including May 17, 2005, within which to pre-pay the \$255.00 filing fee; and

(4) **CAUTIONS** Lonnie D. Williams, that if he does not pre-pay this filing fee

by that date, this appeal may be dismissed without further notice without affecting his obligation to pay the filing fee in installments.

SO ORDERED.

ENTERED: April 21, 2005

/s/ Robert L. Miller, Jr.
Chief Judge
United States District Court